IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.4929 of 2007

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	¦ Mr.I.M.Khairdi for the Petitioner. ¦ Mr.V.A.Sonpal, AGP for State. ¦ ¦ ¦ **CORAM: D.K.DESHMUKH &** ¦ V.M.KANADE**, JJ.** ¦ **DATED:** 13TH DECEMBER, 2007

P.C.:

The Petitioner has approached this court claiming that he has right under Rule 26(4) of the MEPS Rules of being appointed as teacher under the Respondents Nos. 1 & 2.

2. Perusal of that Rule shows that a right under that Rule accrues to the person who has been retrenched, if the post from which he has been retrenched is revived or additional post is created.

3. Perusal of the representation of the Petitioner shows that it is not the allegation of the Petitioner that either his post has been revived or any additional post has been created. Therefore, from the material available on record it cannot be inferred that the Petitioner has acquired any right under Rule 26(4) of the MEPS Rules. The Petition, therefore, cannot be entertained. It goes without saying that if any additional post is created or a post from which the Petitioner was retrenched is revived, the Petitioner will be at liberty to make appropriate application. Petition disposed of.

(D.K.DESHMUKH, J.)

(V.M.KANADE, J.)